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*Attorneys for Defendant:*  
Otto Trucking LLC

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

WAYMO LLC,

Plaintiff,

v.

UBER TECHNOLOGIES, INC.;  
OTTOMOTTO LLC; OTTO TRUCKING  
LLC,

Defendants.

Case No. 3:17-cv-00939-WHA

**DECLARATION OF RACHEL M. WALSH  
IN SUPPORT OF OTTO TRUCKING  
LLC'S OPPOSITION TO WAYMO'S  
MOTION TO COMPEL STROZ  
DISCOVERY**

Courtroom: 8 (19th Floor)  
Judge: Hon. William Alsup  
Trial Date: December 4, 2017

1 I, Rachel M. Walsh, declare as follows:

2 1. I am Counsel at the law firm of Goodwin Procter, LLP and counsel of record for  
3 defendant Otto Trucking LLC (“Otto Trucking”). I make this declaration based upon matters  
4 within my own personal knowledge and if called as a witness, I could and would competently  
5 testify to the matters set forth herein; except for those matters I declare upon information and  
6 belief, which I am informed and believe to be true. I make this declaration in support of Otto  
7 Trucking’s Opposition to Waymo’s Motion to Compel Stroz Discovery.

8 2. I am informed and believe that, on October 9, 2017, the parties conducted a meet  
9 and confer call with Special Master Cooper, regarding the issues identified in Waymo’s October 6  
10 letter. Otto Trucking did not initially participate in the call, because it did not appear that any of  
11 the issues pertained to it. On information and belief, my colleague Todd A. Boock ultimately  
12 joined the call at Mr. Cooper’s request and, for the first time, was asked about Mr. Levandowski’s  
13 computers.

14 3. On information and belief, Mr. Boock did not have the information to respond to  
15 Waymo’s request during the initial call, so he indicated he would investigate the issue and respond  
16 by the following day.

17 4. Attached hereto as Exhibit A is a true and correct copy of Mr. Boock’s October 10,  
18 2017 e-mail to James Judah of Quinn Emanuel, Waymo’s counsel, as well as all other parties to  
19 the action. Mr. Boock copied a group e-mail alias for the Goodwin Procter team on this case, and  
20 I am part of that group address. I received Mr. Boock’s e-mail contemporaneously to when he  
21 sent it, at approximately 1:01 p.m. on October 10.

22 5. Otto Trucking never had and does not have Mr. Levandowski’s laptop computers,  
23 nor does it have any knowledge of their whereabouts. I am informed and believe that since Mr.  
24 Boock’s e-mail on October 10, Otto Trucking’s counsel has consistently and repeatedly stated this  
25 fact to Waymo’s counsel.

26 6. Goodwin Procter LLP (“Goodwin”) represents Mr. Levandowski in pending  
27 arbitration proceedings initiated by Google, Inc. against Mr. Levandowski. At Uber’s request, Mr.  
28 Levandowski provided the two computers to Goodwin for Goodwin to run searches provided by

1 Uber. Goodwin ran those searches and provided the results to Uber. Goodwin does not have the  
2 two computers, nor does it possess any images of their hard drives.

3 7. Attached hereto as Exhibit B is a true and correct copy of Uber expert witness  
4 Kevin Faulkner's expert report, disclosed by Uber on September 7, 2017.

5  
6 I declare under penalty of perjury under the laws of the United States that the foregoing is  
7 true and correct. Executed this 17th day of October, 2017 in San Francisco, California.

8  
9 /s/ Rachel M. Walsh  
Rachel M. Walsh

**CERTIFICATE OF SERVICE**

I hereby certify that I electronically filed the foregoing document including all of its attachments with the Clerk of the Court for the United States District Court for the Northern District of California by using the CM/ECF system on **October 17, 2017**. I further certify that all participants in the case are registered CM/ECF users and that service of the publicly filed documents will be accomplished by the CM/ECF system.

I certify under penalty of perjury that the foregoing is true and correct. Executed on **October 17, 2017**.

/s/ Neel Chatterjee  
NEEL CHATTERJEE